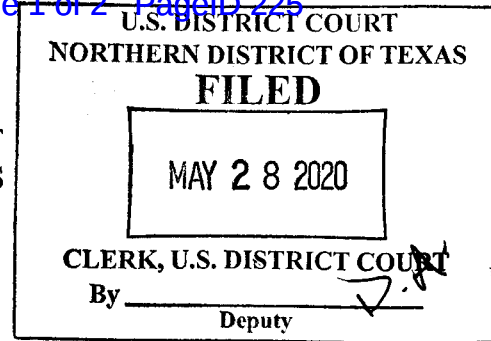


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



LUAL MARKO DENG,

Plaintiff,

v.

WALMART EMPLOYEE,

Defendant.

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2:19-CV-190-Z-BR

**ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION TO
DISMISS THE COMPLAINT**

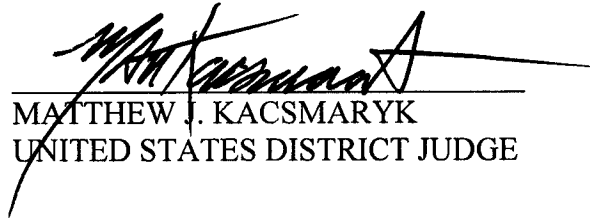
On April 13, 2020, the United States Magistrate Judge entered findings and conclusions in this case (ECF No. 15). The Magistrate Judge RECOMMENDS that Plaintiff's complaint be DISMISSED for lack of subject matter jurisdiction. Two days later, Defendant filed a Motion to Dismiss for Lack of Jurisdiction (ECF No 16). On April 20, 2020, Plaintiff filed objections to the findings, conclusions, and recommendation (ECF No. 20). On, April 28, 2020, Plaintiff filed a motion to stay proceedings (ECF No. 22.) in an attempt to prevent to Court from dismissing this case for subject matter jurisdiction. Then, on May 1, 2020, Plaintiff filed (without leave of Court) an amended complaint (ECF No. 23) claiming to cure the jurisdiction defects. Lastly, On May 26, 2020, Plaintiff filed his Motion for Bench Arrest Warrant (ECF No. 25).

After making an independent review of the pleadings, files, and records in this case, the findings, conclusions, and recommendation of the Magistrate Judge, and Plaintiff's objections, the Court concludes that the findings and conclusions are correct. Plaintiff's objections are OVERRULED. Even considering the late-filed Amended Complaint, this Court has no subject matter jurisdiction over the action for the same reasons as outlined in the Magistrate Judge's findings and conclusions.

Accordingly, Defendant's Motion to Dismiss (ECF No. 16) is MOOT. Plaintiff's Motion to Stay (ECF No. 22) and Motion for Bench Arrest Warrant (ECF No. 25) are DENIED. It is hereby ORDERED that the findings, conclusions, and recommendation of the Magistrate Judge are ADOPTED and that Plaintiff's Complaint (ECF No. 3) is DISMISSED.

SO ORDERED.

May 28, 2020.



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE